



MINISTRY OF HOUSING & LOCAL GOVERNMENT

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Please address any reply to

THE SECRETARY

and quote: AFF/1199/A/82744

Your reference BH/VDD/L.1203

22 JAN 1965

Gentlemen,

Town and Country Planning Act 1962 - Section 23

Appeal by Mr. B. A. R. Hobson

Application No. W/216/64

I am directed by the Minister of Housing and Local Government to say that he has considered the report of his Inspector, Mr. L. T. B. Kealey, B.Eng. (L'pool), A.W.T.F.I., who held a local inquiry into your client's appeal against the refusal of Hemel Hempstead Borough Council, acting on behalf of Hertfordshire County Council, to permit the erection of three detached houses on land at "Fair Acres", 16 Box Lane, Boxmoor, Hemel Hempstead.

2. A copy of the Inspector's report is enclosed.

3. The site is in a proposed extension of the Metropolitan Green Belt but the Inspector is of the opinion that this is not a case in which stringent application of green belt policy is justified. He is satisfied that the development of the south-eastern portion of the site as proposed would have no detrimental effect on the appearance of the area generally nor on the amenities of neighbouring property in particular. This, however, would not be so in the case of any development of the north-western portion of the site, owing to the topography. In the Inspector's view the proposed vehicular access to the four houses would give rise to dangerous conditions, and he considers that in this respect the layout submitted needs revision unless the extent of visibility to the south-west along Box Lane can be improved by the cutting back of the hedge along the site frontage to provide an adequate sight line to the south-west. He recommends that the appeal be allowed conditionally.

4. The Minister agrees with his Inspector's conclusion that this is not a case in which stringent application of green belt policy is justified and in principle therefore it is accepted that there could be some development such as that proposed on the appeal site. The application was marked "Outline" but it is evident that consideration has been given to the detailed siting and access plan, and the Inspector's view that vehicular access to the four houses as proposed would give rise to dangerous conditions is accepted. For this reason it is considered that the submitted layout plan should not be approved. The siting and design of any new accesses to Box Lane would require great care in order to secure adequate sight lines in both directions along the lane. Moreover it is noted that north-eastwards along the lane there is a number of other properties in large grounds where similar development is proposed, or is likely to be proposed, and it is considered that development at "Fair Acres" should be planned as part of a comprehensive scheme for the development of properties on the north-west side of the lane. The Minister has therefore decided to dismiss the appeal but this is without prejudice to the submission of a fresh application to the council.

I am, Gentlemen,
Your obedient Servant,

(Signed) D. G. POMEROY

(D. G. POMEROY)

Authorised by the Minister
to sign in that behalf.

Messrs. Tarlo, Lyons & Aukin
Solicitors
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Herts.